

### REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In order to expedite the Examiner's review of this response, Applicant will address each of the Examiner's objections in the order they were discussed in the Official Action.

A. The specification has been amended at page 2, under the heading, "Brief Description of the Invention", to insert after the parental comparison paragraph (imported with the Amendment filed September 7, 2004), a paragraph that identifies the closest comparison cultivar to 'Conca D'or' as the parental cultivar 'Aubade'.

B. The specification has been amended at page 3, lines 14-16, under the heading "Detailed Botanical Description", to amend the parentage description of 'Conca D'or'.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

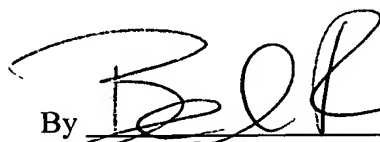
papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 28 Feb. 2005

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

By

 35,087  
for

Richard C. Peet  
Attorney for Applicant  
Registration No. 35,792